

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

JERRI LEIGH JACKSON,)
Plaintiff,)
v.) NO. 3:09-0614
COVENANT TRANSPORT, et al.,) Judge Trauger/Bryant
Defendants.)

O R D E R

Plaintiff has filed her "Motion to Compel Court (U.S. Marshall Service) to Send Covenant Transport Summons, Right to Sue, EEOC, EEOC charge & All of the Original Complaint Materials Submitted 6/29/09." (Docket Entry No. 28).

It appears from the record that on December 7, 2010, the Clerk issued a summons to Covenant Transport (Docket Entry No. 23). By earlier order of the Court (Docket Entry No. 20), the Court directed that upon receipt from plaintiff of the completed service packet, service of process upon the defendant shall be accomplished through the U.S. Marshal's Service. Rule 4(c) of the Federal Rules of Civil Procedure provides that the summons and a copy of the complaint are to be served upon each defendant. Moreover, documentary exhibits filed with the complaint ordinarily are served along with the complaint, and the Court has no reason to believe that this has not occurred, or is in the process of occurring, in this case.

Since the relief that plaintiff Jackson seeks in this

motion has likely already occurred, or already is in the process of occurring, her motion is **DENIED** as moot. This ruling is without prejudice to plaintiff Jackson's right to file a similar motion if it should appear later that service of process upon the defendant has not occurred in the normal fashion.

It is so **ORDERED**.

s/ John S. Bryant
JOHN S. BRYANT
United States Magistrate Judge